



AF  
2611

313-010-1

IN THE U.S. PATENT AND TRADEMARK OFFICE

#18(w.e)  
W. Lawson  
7/2/03

Re application of :  
F. J. Maguire, Jr. :  
Serial No. 09/177,356 : Examiner: J. Salce  
Filed: October 23, 1998 : Group Art Unit: 2611  
For: TELEPRESENCE SYSTEM AND ACTIVE/PASSIVE  
MODE DISPLAY FOR USE THEREIN

REQUEST FOR RECONSIDERATION AFTER FINAL ACTION

Assistant Commissioner for Patents  
U.S. Patent and Trademark Office  
Alexandria VA 22313-1450

RECEIVED

JUL 02 2003

Technology Center 2600

Sir:

Applicant wishes to thank the Examiner for the telephone conference of 26 June 2003 in which the novelty rejection of claims 25 and 27 were discussed.

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, Alexandria VA 22313-1405.

Margery B. Hood  
Margery B. Hood

Dated:

Thargery B. Hood  
June 27, 2003

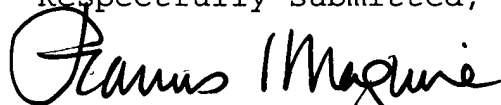
It was pointed out by Applicant that the Examiner's interpretation of the Smith reference is incorrect, because although the display is rotatable about the pole shown in Fig. 14, thereby meeting the first element of claim 25, the ability of the user to move the display up and down the pole along the same axis does not meet the limitation of the second element of claim 25, because it is not "rotatably mounted for rotation about" any other "second axis", as claimed.

The claim requires a second platform part (such as the second platform part 185 of Fig. 6 of the present disclosure), within which a first platform part (such as the first platform part 180 of Fig. 6) is rotatably mounted for rotation about a second axis (such as the X-axis 190 of Fig. 6). Therefore, claim 25 is not anticipated by the reference.

The Seecoast reference made of record by the Examiner but not applied, was also discussed. It was pointed out by Applicant that the Seecoast device is not a display, but is rather a coin-operated telescope.

Withdrawal of the 35 USC 102 rejection of claims 25 and 27 is requested.

Respectfully submitted,



Francis J. Maguire  
Attorney for the Applicant  
Registration No. 31,391

FJM/mbh  
June 27, 2003  
WARE, FRESSOLA, VAN DER SLUYS  
& ADOLPHSON LLP  
755 Main Street, PO Box 224  
Monroe CT 06468  
(203) 261-1234